

# Building Permits

## What happens during construction?

Building permits often list the kinds of inspections that will have to be done during construction. A building inspector will inspect the work to determine if it is carried out in accordance with the building code, your permit, and the approved plans.

You will also be required to:

- show your permit in a window or other place where it can be easily seen
- keep copies of the plans on the site
- contact the municipality at the appropriate stages of construction for inspections
- tell the municipality about any last-minute changes, which will also have to be approved

The inspector must always be able to see the work. If it's different from the work that was approved, you will be told to correct it. If you don't, the municipality can take legal action.

## What about demolition?

Before you take down all or part of a building, you will have to apply to your municipality for a demolition permit. The process is much the same as for a building permit, but some special situations may affect your application.

In a demolition control area, for example, you will not be able to demolish a residential property until you have received a building permit for new construction.

Or, because of the building's historic or architectural importance, it may be designated, or be intended for designation as a heritage building under the Ontario Heritage Act. In that case demolition will require council's approval and there may have to be negotiations over how some of the unique character of the building can be preserved.

## What if you want to change a building's use?

If you want to change the way you use all or part of your building you may need a change of use permit, even if you're not planning any construction. A building evaluation may have to be done to make sure that the existing building can support the proposed use. Different uses have different code requirements.

Call your municipal building department to find out whether you will need a change of use permit.

## What happens if you don't get a building permit?

Anyone who is charged and found guilty of building without a permit can be fined up to \$25,000 for a first offence and up to \$50,000 for later offences.

Fines can also be imposed if you don't follow an order from the building department.

## What other approvals may be required?

In addition to the planning approvals and building permit which are required for a building project, there are other permits and approvals required in particular circumstances. For example, a septic tank permit is required for a new septic system. In cottage areas, a permit may be required from the Ministry of Natural Resources before you do any construction in the water (for example, a dock or boathouse with solid foundation).

## How can you find out more?

For more information about building permits or the Ontario Building Code contact your municipal building department or

**Housing Development and Buildings Branch**  
Ministry of Municipal Affairs and Housing  
777 Bay Street, 2nd Floor  
Toronto ON M5G 2E5  
(416) 585-6666

For more information about land use planning in your community or for copies of the Citizens' Guides, contact your municipal clerk or planning department, or your nearest Ministry of Municipal Affairs and Housing office:

**Provincial Planning Services Branch**  
(416) 585-6014  
Toll Free : 1-800-935-0696  
Fax: (416) 585-4245 or 585-4006

**Planning Policy Branch**  
(416) 585-6235  
Fax: (416) 585-6870

**Regional Operations Branch - Toronto**  
(416) 585-7296  
FAX: (416) 585-7292

**Eastern - Kingston**  
(613) 548-4304  
Toll Free : 1-800-267-9438  
FAX: (613) 548-6822

**Southwestern - London**  
(519) 673-1611  
Toll Free : 1-800-265-4736  
FAX: (519) 661-1677

**Northeastern - Sudbury**  
(705) 564-0120  
Toll Free : 1-800-461-1193  
FAX: (705) 564-6863

**Northwestern - Thunder Bay**  
(807) 475-1651  
Toll Free : 1-800-465-5027  
FAX: (807) 475-1196

**Central - Toronto**  
(416) 327-0017  
Toll Free : 1-800-668-0230  
FAX: (416) 327-0980

Copies of the Guides may also be obtained from  
**Publications Ontario** (416) 326-5300 or  
1-800-668-9938

Visit the Ministry's Internet site at:  
[www.mmah.gov.on.ca](http://www.mmah.gov.on.ca)



ISBN 0-7778-6203-4  
© Queen's Printer for Ontario, 1997

Disponible en français

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Ministry of Municipal Affairs and Housing



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# Citizens' Guide

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## Introduction

Land use planning affects almost every aspect of life in Ontario. It helps decide where in our communities homes and factories should be built; where parks and schools should be located; and where roads, sewers and other essential services should be provided.

Land use planning means managing our land and resources. It helps each community to set goals about how it will grow and develop and to work out ways of reaching those goals while keeping important social, economic and environmental concerns in mind. It balances the interests of individual property owners with the wider interests and objectives of the whole community.

Good planning leads to orderly growth and the efficient provision of services. It touches all of us and helps us to have the kind of community we want.

But often we don't see how it affects our lives and property each day. And it often seems confusing.

This series of Citizens' Guides has been prepared to help you understand how the land use planning process works in Ontario. They are intended to give general information only and are not an interpretation of the Planning Act or any other act. You should refer to the legislation for specific requirements and procedures. The titles of the guides are:

1. The Planning Act
2. Official Plans
3. Zoning By-laws
4. Subdivisions
5. Land Severances
6. Ontario Municipal Board
7. Northern Ontario
8. Building Permits
9. One-Window Provincial Planning Service/ Municipal Plan Review
10. Making Mediation Work For You

## What is a building permit?

A building permit is formal approval from your municipality to construct, add to, or renovate a building on your property.

## Why do you need a building permit?

Building permits allow a municipality to protect the interests of both individuals and the community as a whole. By reviewing and approving plans before any work is done, the municipality can ensure that buildings comply with:

- the Ontario Building Code, which sets standards for design and materials
- the local zoning by-law and its controls on buildings and uses that are suitable to the area
- other health and safety regulations

## When do you need a building permit?

You must obtain a building permit before you:

- put up any new building or place another structure such as a mobile home on your property
- repair or add to a building
- excavate or construct a foundation
- install heating, plumbing, air conditioning, or a fireplace
- put up a temporary building

If you're not sure whether you need a building permit or you wish to change the use of your building, call your municipality. Staff can answer your question immediately, or send a building inspector to look at what you plan to do and tell you what you need.

## How do you apply for a building permit?

You can get an application for a building permit from your municipality. But it's a good idea to talk to the staff before you apply. They can tell you what information, drawings and plans you'll have to include with the application and whether you'll need any other permits or approvals.

When you apply you'll have to attach sketches, plans, and other documents. You may also have to pay a fee for the application and for other services such as a property survey or a hook-up to the municipal water supply.

## What happens to your application?

Municipal building staff will review your application to confirm that the proposed work complies with the Ontario Building Code and the local zoning by-law. They may also send it to other municipal officials for comments. If there are problems with your application or your plan, the staff will tell you why and will show you what you have to do.

Applications for a simple alteration or addition can be processed fairly quickly, but more complex proposals may take longer. If you need a zoning change or a minor variance from the zoning by-law, or if the work does not comply with the building code, a permit will not be issued until all the changes have been made.

If your property is covered by a site plan control by-law you will not get a building permit until you have met all the requirements set out in the by-law.

See Zoning By-laws, No. 3 in the series, for more information about zoning, minor variances, and site plan controls. Talk to staff in your municipality.

## What can you do if your application is turned down?

If the municipality refuses your application you will be told why. If you can't resolve the problems, you have a few options for appealing the decision.

- If the problem relates to technical requirements of the building code, write to the Building Code Commission, care of the Housing Development and Buildings Branch of the Ministry of Municipal Affairs and Housing, with reasons for your appeal. The address is at the end of this guide.
- If the problem relates to construction techniques or materials, write to the Building Materials Evaluation Commission, also care of the Housing Development and Buildings Branch of the Ministry of Municipal Affairs and Housing, and again give reasons for your appeal.
- If the problem relates to interpretation of the zoning by-law, you can apply to a judge of the Ontario Court (General Division), who will review the zoning and decide whether your application complies. You may want to talk to a lawyer first.

## The Building Permit Process

